



UNITED STATES PATENT AND TRADEMARK OFFICE

✓
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

J. MICHAEL MARTINEZ DE ANDINO
HUNTON & WILLIAMS
RIVERFRONT PLAZA, EAST TOWER
951 E. BYRD STREET
RICHMOND, VA 23219-4074

COPY MAILED

JAN 14 2004

OFFICE OF PETITIONS

In re Application of :
Alfred V. Alasia et al :
Application No. 10/655,831 : NOTICE
Filed: September 5, 2003 :
Attorney Docket No. 62770.000068 :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby
ACCEPTED.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

Wan Laymon

Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



1-6-04

DAC \$
(S)

EXPRESS MAIL LABEL NO. EU746734625US

Attorney Docket No. 62770.000068
Customer No. 27682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re US Patent Application of:)

Alfred V. Alasia et al.)

Application No.: 10/655,831)

Group Art Unit: 2131

Filing Date: September 5, 2003)

Examiner: Unassigned

Title: SYSTEM AND METHOD FOR)
AUTHENTICATING AN)
ARTICLE)

RECEIVED
JAN - 9 2004
OFFICE OF PETITIONS

SUBMISSION UNDER 37 C.F.R. § 1.28 (c)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

On September 5, 2003, the above-identified patent application was filed together with Check No. 299357 in the amount of \$732.00, thereby establishing small entity status. The undersigned respectfully submits that small entity status was claimed and the small entity fees were paid in good faith. It has now been discovered that the above-identified patent application should have been filed without a claim of small entity status and that large entity fees should have been submitted.

In accordance with the requirements for excuse of an incorrect status claim set forth under 37 C.F.R. § 1.28 (c)(1) and (c)(2), the following is an itemized list of the fees paid on September 5, 2003 and actual deficiency of fees owed:

<u>Type of Fee</u>	<u>Small Entity Fee Paid on 9/5/03</u>	<u>Actual Deficiency Owed</u>
Basic Application	\$ 375.00	\$ 395.00
Total Claim Fee	\$ 315.00	\$ 315.00
Independent Claim Fee	\$ 42.00	\$ 44.00
Total Deficiency Owed:		\$ 754.00

A check in the amount of \$754.00 is attached hereto to cover the actual deficiency in fees owed. This amount takes into account the United State Patent and Trademark Office fee increase as of October

01/09/2004 AHONDAF1 00000065 10655831

01 FC:1001	770.00 OP
02 FC:1201	86.00 OP
03 FC:1202	630.00 OP

1, 2003. The Commissioner is hereby authorized to charge any additional fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 08-3436.

It is respectfully requested that the small entity status error be excused and, through compliance with the requirements set forth under 37 C.F.R. § 1.28 (c)(1) and (c)(2), large entity status officially made of record. Should any questions arise concerning this submission, please contact the undersigned attorney at the telephone number provided below.

Date: January 5, 2004

Respectfully submitted,

By: 

David E. Baker
Registration No. 42,285

HUNTON & WILLIAMS
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
(804) 788-8762 direct dial
(804) 343-4598 direct fax



EXPRESS MAIL LABEL NO. EU746734625US

Attorney Docket No. 62770.000068
Customer No. 27682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re US Patent Application of:)	
)	
Alfred V. Alasia et al.)	
)	
Application No.: 10/655,831)	Group Art Unit: 2131
)	
Filing Date: September 5, 2003)	Examiner: Unassigned
)	
Title: SYSTEM AND METHOD FOR)	
AUTHENTICATING AN)	
ARTICLE)	

RECEIVED
JAN - 9 2004
OFFICE OF PETITIONS

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service
with sufficient postage as Express Mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on January 5, 2004
Date

Signature

Laura A. Couch

Typed or printed name of person signing Certificate

Documents being submitted with this Certificate of Express Mailing include:

- Submission Under 37 C.F.R. § 1.28 (c)
- Check No. 373143 in the amount of \$754.00 for the required deficiency owed for large entity status
- Self-Addressed Stamped Return Postcard

HUNTON & WILLIAMS
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219
(804) 788-8200 (Telephone)
(804) 788-8218 (Facsimile)

Transaction List

Search by

☐ Accounting Date: Operator ID:
(MMDDYY)



☒ Name/Number: Starts: Ends:
☐ Attny Docket No:
☐ Deposit Account No.:



Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
09/09/2003	JADD01	81	SALE	2202	A	315.00	10655831	
09/09/2003	JADD01	80	SALE	2201	A	42.00	10655831	
09/09/2003	JADD01	79	SALE	2001	A	375.00	10655831	



Adjustment Detail

Authorization Detail



Adjustment date: 01/09/2004 AWONDAF1
09/09/2003 JADD01 00000040 10655831
01 FC:2001 -375.00 OP
02 FC:2201 -42.00 OP
03 FC:2202 -315.00 OP